IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE FIRST DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

-

WRIT PETITION NO : 17751 of 2004

Between:

Sri M.Kanta Rao, E.No.80043, Tyre Mechanic,

Armoor Depot, APSRTC, Nizamabad District.

..... PETITIONER

AND

1.The APSRTC rep. by its Vice Chairman and Managing Director,

APSRTC, Musheerabad, Hyderabad.

2.The Divisional Manager, Nizamabad Division, Nizamabad

APSRTC, Nizamabad District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a Writ or direction more particularly one in the nature of Writ of Mandamus declaring the in-action of the Respondent No. 2 not disposing the appeal as arbitrary and illegal, consequently direct the respondent No. 2 to consider and dispose the appeal dated 27-7-2004 under Regulation 22 CCA Regulations 1967.

Counsel for the Petitioner: MR.B.H.R.CHOWDARY

Counsel for the Respondent Nos.1&2 : MR.V.T.M.PRASAD, Standing Counsel for A.P.S.R.T.C.

The Court at the stage of admission made the following :

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THE HONOURABLE DR.JUSTICE G.YETHIRAJULU

Writ Petition No. 17751 of 2004

ORDER:

The petitioner is a Mechanic in the respondents-Corporation. He was imposed a punishment of reversion from his post through the order dated 02.06.2004 passed by the Depot Manager, Armoor Depot. Against the said order, he preferred an appeal to the second respondent on 27.07.2004 and it is pending consideration. The petitioner cannot maintain the present writ petition as a parallel proceeding during the pendency of the appeal before the second respondent.

2. The grievance of the petitioner is that the second respondent so far did not pass any order on the appeal preferred by him. Therefore, the second respondent is directed to pass appropriate orders on the appeal preferred by the petitioner on 27.07.2004 within a reasonable time.

3. The Writ Petition is accordingly disposed of. No costs.

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Dr.G.YETHIRAJULU, J

Date: 1st October, 2004.

Cs

ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1.The Vice Chairman and Managing Director, APSRTC,

Musheerabad, Hyderabad.

2.The Divisional Manager, Nizamabad Division, Nizamabad

APSRTC, Nizamabad District.

3.Two C.D. copies.